## T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:		•	17-Jun-08	APPL. S. N:	10810462					
To Examir	ner:		CHOW, CHARLES C.	Art Unit	2618					
From			Jefferson, Henry PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68					
SUBJECT	: Decisio	n on Terminal	Disclaimer(T.D.) filed:							
form para or have a	graphs id ny questi	dentified by thi ions, please se	s informal memo in your next O e me or the Special Program Exa	ults as set forth below. If you agg ffice action to notify applicant of t aminer. THIS IS AN INFORMAL, I RECORD IN THE APPLICATION FIL	the T.D. If you disagree					
please initial, date and return this memo to me. THANK YOU.										
<u> </u>	The T.D.	is PROPER and	has been recorded (see 14.23)	•						
	The T.D.	is NOT PROPE	R and has not been accepted for	the reason(s) checked below (se	e 14.24):					
•		The TD fee of use of a depos	·	d nor is there any authorization ir	n the application file for the					
	The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).									
	П		the enforceable only during coning rejection, Rule 321(b) (see 1	nmon ownership clause – needed 4.27.01).	to overcome a non-statutory					
		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).								
	□ .	The person wh	no signed the T.D.:							
•		is no	t an attorney "of record" (see 14	4.29 and 14.29.01).						
		has f	failed to state his/her capacity to	sign for the business entity (see	14.28).					
		is no	t recognized as an officer of the	assignee (see 14.29 & possible 1	4.29.02).					
		nor is the reel (see 37 CFR 3	and frame number specified as .73(b) and 1140 O.G. 72). NOTE	om the original inventor(s) to ass to where such evidence is record E: This documentary evidence or a separate paper of record in the	ed in the Office the specifying of the reel and					
•		The T.D. is no	t signed (see 14.26 & 14.26.03)							
			nber of the application (or the nuction is missing or incorrect (see	umber of the patent) which forms a 14.32).	the basis for the double					
			nber of this application (or the names) incorrect (see 14.26,	umber of the patent in reexam or 14.27.02 or 14.26.05).	reissue cases being					
•		The period dis	claimed is incorrect or not speci	fied (see 14.26, 14.27.02 or 14.2	6.03).					
		Other:			[22] [37]					
		Suggestion to and do not che		TE: If already authorized, credit r	efund to deposit account					
I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.										
Ex.Initials	:	Date	•		Log Date:					

Application Number			Applicant(s)/Patent under Reexamination MOORTI ET AL				
Document Code - DISQ	Internal Document – DO NOT MAIL		NOT MAIL				
TERMINAL DISCLAIMER	☑ APPROVED		☐ DISAPPROVED				
Date Filed : May 21, 2008	This patent is subject to a Terminal Disclaimer						
Approved/Disapproved by:							
Henry D. Jefferson							

U.S. Patent and Trademark Office

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (Attorney Docket No. 15574US02)

In the Application of:	) Electronically filed on
Rajendra Tushar Moorti, et al.	) May 21, 2008
Serial No.: 10/810,462	<b>/</b>
Filed: March 26, 2004	<b>,</b>
For: METHOD AND SYSTEM FOR ANTENNA SELECTION DIVERSITY WITH DYNAMIC GAIN CONTROL	) ) )
Examiner: Charles Chiang Chow	(
Group Art Unit: 2618	<u>'</u>
Confirmation No. 9326	<b>'</b>

# TERMINAL DISCLAIMER TO OBVIATE ANY DOUBLE PATENTING ISSUE (37 C.F.R. 1.321(c))

Mail Stop Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

### Interest of Entity Making This Disclaimer

Broadcom Corporation is the assignee of the entire interest in this application and in co-pending U.S. Patent Application No. 10/810,433 filed March 26, 2004.

#### Disclaimer

Broadcom Corporation hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of any patent granted on U.S. Patent Application No. 10/810,433, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only during such period that said patent is commonly owned with any patent granted on U.S. Patent Application No. 10/810,433, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee and its successors or assigns.

It is to be understood from the foregoing language that Broadcom Corporation does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of any patent granted on said U.S. Patent Application No. 10/810,433, even if the effective life of said patent granted on U.S. Patent Application No. 10/810,433 is shortened by any event, subsequent or otherwise (such as, for example, failure to pay a maintenance fee, a court or Patent Office ruling, or a disclaimer by the Patentee).

#### Fee Status (37 C.F.R. 1.20(d))

Please charge the terminal disclaimer fee in the amount of \$130 to the deposit account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Terminal Disclaimer dated 5/21/2008 Serial No. 10/810,433

#### **EVIDENTIARY STATEMENT**

The evidentiary documents accompanying or referred to in the Terminal Disclaimer have been reviewed by the undersigned and it is certified that to the best of the assignee's knowledge and belief, title is in the assignee seeking to take action.

Dated: May 21, 2008

Respectfully submitted,

By: /Ognyan I. Beremski/ Ognyan I. Beremski Reg. No. 51,458 Attorney for Applicant

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(RHD)